

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF OKLAHOMA

(1) HAROLD BUFFINGTON,

Plaintiff,

v.

(1) ARCH INSURANCE COMPANY, a Foreign Corporation; and  
(2) GALLAGHER BASSETT SERVICES, INC., a Foreign Corporation,

Defendants.

Case No. \_\_\_\_\_

Removed from  
Haskell County CJ-2015-17

**NOTICE OF REMOVAL**

COME NOW the Defendants Arch Insurance Company and Gallagher Bassett Services, Inc. (hereinafter "Defendants"), and pursuant to 28 U.S.C. §§ 1332, 1441(a), 1446, hereby remove this action from the District Court of Haskell County, State of Oklahoma, to the United States District Court for the Eastern District of Oklahoma, based on the following:

1. Plaintiff, Harold Buffington, filed suit against Defendants in the District Court of Haskell County, Oklahoma in Case No. CJ-2015-17 ("the state court action"). On or about April 29, 2015, Defendants registered agents were served with the Petition and Summons via certified mail return receipt requested.
2. Plaintiff is a resident of the State of Oklahoma and resides in Haskell County, Oklahoma.
3. Defendant Arch Insurance Company is an entity incorporated under the laws of the State of Missouri with its principal place of business in New York.

4. Defendant Gallagher Bassett Services, Inc. is an entity incorporated under the laws of the State of Delaware with its principal place of business in Illinois.

5. The parties are residents of different states and the claim for relief in excess of Seventy-Five Thousand Dollars (\$75,000.00).

6. This Court therefore has original and subject matter jurisdiction pursuant to 28 U.S.C. § 1332.

7. This Notice of Removal is timely filed in accordance with 28 U.S.C. § 1446(b), in that it is filed within thirty (30) days of the date that the action became removable.

8. Haskell County, State of Oklahoma, lies within the geographical boundaries of this Court.

9. Defendant reserves its right to plead all of the affirmative defenses stated in Fed. R. Civ. P. 12(b).

10. Written notice of this removal will be given to all parties and a copy will be filed with the Clerk of the District Court in Haskell County, Oklahoma promptly after this Notice of Removal is filed.

11. In accordance with 28 U.S.C. § 1446(b) and LCvR 81.2, attached to this Notice of Removal is Exhibit 1, a copy of the docket sheet, and Exhibit 2, Plaintiff's Petition issued in the state court action.

WHEREFORE, Defendants request this Notice of Removal be accepted by this Court, and that this lawsuit proceed as an action properly removed to this Court's jurisdiction.

Respectfully submitted,

**HOLDEN & CARR**

*s/Don W. Danz*

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Don W. Danz, OBA #14607  
Michael L. Carr, OBA #17805  
Steven E. Holden, OBA #4289  
15 East 5<sup>th</sup> Street, Suite 3900  
Tulsa, OK 74103  
(918) 295-8888; (918) 295-8889 fax  
[DonDanz@HoldenLitigation.com](mailto:DonDanz@HoldenLitigation.com)  
[MikeCarr@HoldenLitigation.com](mailto:MikeCarr@HoldenLitigation.com)  
[SteveHolden@HoldenLitigation.com](mailto:SteveHolden@HoldenLitigation.com)  
*Attorneys for Defendants, Arch Insurance  
Company and Gallagher Bassett Services, Inc.*

**CERTIFICATE OF MAILING**

I hereby certify that on the 18<sup>th</sup> day of May, 2015, a true and correct copy of the above and foregoing instrument was served on the parties as follows:

Via U.S. Mail       Via Facsimile Mail  
 Via Federal Express       Via Hand Delivery  
 Via Email

to:

Donald E. Smolen, II  
SMOLEN, SMOLEN & ROYTMAN  
701 South Cincinnati Avenue  
Tulsa, OK 74119  
Facsimile: 918-585-2669  
*Attorneys for Plaintiff*

*s/ Don W. Danz*

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Don W. Danz

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